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Total Number of Pages in This Submission

3

Application Number	10/664,620
Filing Date	September 19, 2003
First Named Inventor	David E. Galomb
Art Unit	3751
Examiner Name	J. Casimer Jacyna

Attorney Docket Number F1012/20134

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Response to Restriction Requirement and Election of Species - Return Receipt postcard
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd., Customer No. 03000		
Signature			
Printed name	Barry A. Stein		
Date	December 13, 2005	Reg. No.	25,257

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F1012/20134

Customer No. 03000

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION

Applicant : David E. Galomb
Serial No. : 10/664,620
Confirmation No. : 4006
Filed : September 19, 2003
For : SYSTEM AND PACKAGE FOR
DISPENSING FLOWABLE
MATERIAL AND METHOD
FOR PRODUCT DISPENSING
Group : 3751
Examiner : J. Casimer Jacyna

RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION OF SPECIES

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Election of Invention is responsive to the Office Action dated December 6, 2005 requiring applicant to elect to prosecute claims drawn to the invention of Group I (namely, Claims 1-38 and 60-67) or the invention of Group II (namely, Claims 39-59).

Pursuant to the foregoing requirement, Applicant hereby elects to prosecute the Claims 39-59 of Group II, drawn to "a subcombination package, classified in class 383, subclass 200" with Claims 1-38 and 60-67 of Group I being held in abeyance. This election is being made without traverse.

Application Serial No. 10/664,620

Response to Restriction Requirement and Election of Species Dated December 13, 2005

Response to Restriction Requirement and Election of Species Dated December 6, 2005

Since the Election of Species, as noted in paragraph 5 of the Restriction Requirement, was directed to the species of the invention of the apparatus of Group I, which was not elected, it is respectfully submitted that no election of species is necessary for the elected claims of Group II (the subcombination package).

It is respectfully submitted that the aforementioned elected claims in this application are allowable and such favorable action is respectfully requested.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.

December 13, 2005

By

Barry A. Stein
Reg. No. 25,257
Customer No. 03000
(215) 567-2010
Attorneys for Applicant